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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

ARESTINA MORINA ACOSTA,) CIVIL NO. 1:23-cv-01675-SKO
Plaintiff,)
v.)
COMMISSIONER OF SOCIAL SECURITY,)
)
)**STIPULATION AND UNOPPOSED
MOTION TO VOLUNTARY REMAND
PURSUANT TO SENTENCE FOUR OF
42 U.S.C. § 405(g); ORDER**

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Appeals Council will vacate the prior decision and direct the ALJ to:

- offer the Plaintiff the opportunity for a hearing;
- proceed through the sequential evaluation process;
- further evaluate the findings of Sarah Anne Edwards, Ph.D., with the assistance of medical expert evidence;

1 • further evaluate Plaintiff's residual functional capacity;
2 • obtain vocational expert evidence as warranted; and
3 • issue a new decision.

4 The parties further request that the Clerk of the Court be directed to enter a final
5 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
6 Commissioner.

7 Dated: May 29, 2024

8 Law Offices of Patricia L. McCabe

9 By: /s/ Patricia L. McCabe
10 PATRICIA L. MCCABE
11 Attorney for Plaintiff
12 (per email authorization)

13 PHILLIP A. TALBERT
14 United States Attorney

15 MATHEW W. PILE
16 Office of Program Litigation, Office 7

17 By: /s/ Julie A.K. Cummings
18 JULIE A.K. CUMMINGS
19 Special Assistant United States Attorney

20 Attorneys for Defendant

21 **ORDER**

22 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
23 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 20), and for
24 cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the
25 Commissioner of Social Security for further proceedings pursuant to the fourth sentence of
26 Section 205(g) of the Social Security Act, 42 U.S.C. 405(g). The Clerk of Court shall enter a
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1 final judgment in favor of Plaintiff, and against Defendant, vacating and reversing the final
2 decision of the Commissioner and shall thereafter close this case.

3 IT IS SO ORDERED.
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5 Dated: May 29, 2024

/s/ Sheila K. Oberto
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UNITED STATES MAGISTRATE JUDGE